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NATIONS

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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Council, the President of the Security Council made the following statement on behalf of the Council at its 3258th meeting on 28 July 1993, in connection with the Council's consideration of the item entitled "The situation in the Middle East":

"The members of the Security Council have noted with appreciation the report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) (S/26111) submitted in conformity with resolution 803 (1993) of 28 January 1993.

"They reaffirm their commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, they assert that any State shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

"As the Security Council extends the mandate of UNIFIL for a further interim period on the basis of resolution 425 (1978) of 19 March 1978, the members of the Council again stress the urgent need for the implementation of that resolution in all its aspects. They reiterate their full support for the Taif Agreement and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The members of the Council commend the Lebanese Government for its successful efforts to extend its authority in the south of the country in full coordination with UNIFIL.

"The members of the Security Council express their concern over the continuing violence in southern Lebanon, regret the loss of civilian life and urge all parties to exercise restraint.

"The members of the Security Council take this opportunity to express their appreciation for the continuing efforts of the Secretary-General and his staff in this regard and commend UNIFIL's troops and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

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LETTER DATED 28 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a report by the Hon. Mario Raffaelli, Chairman of the Conference on Nagorny Karabakh of the Conference on Security and Cooperation in Europe dated 27 July 1993.

I should be grateful if you could have this letter and its annex circulated as a document of the Security Council.

(Signed) Francesco Paolo FULCI
Permanent Representative

Annex

Report by the Chairman of the Minsk Conference of the Conference on Security and Cooperation in Europe on Nagorny Karabakh to the President of the Security Council dated 27 July 1993

1. Following my visit to the Caucasus region and to the area of the Nagorny Karabakh conflict, I would like to add some further elements to those already provided by the United Nations representatives in Baku and Erevan. I also wish to take this opportunity to express my thanks for the invaluable assistance and full cooperation these representatives provided in both capitals.

2. The situation has, of course, changed dramatically with the seizure of the city of Agdam by opposing forces. This has dealt the negotiating process a severe blow and has somewhat altered the assumptions on the basis of which my mission had been decided upon by the Conference on Security and Cooperation in Europe (CSCE).

3. The aim of the mission, which included representatives of the CSCE Chairman-in-Office, was to determine, on the basis of an assessment of the situation in the region, whether and when the "timetable of urgent steps to implement United Nations Security Council resolution 822 (1993)", worked out by the nine countries in the Minsk Group, could come into force.

4. In the course of the visit, both the President of Armenia and the acting President of Azerbaijan reconfirmed their full and determined support for the CSCE Minsk Group timetable. Both insisted that it should enter into force as early as possible and without any changes. Both pledged the cooperation of their Governments and authorities for its implementation. A most refreshing finding was, above all, the two Presidents' apparent willingness to consult and to cooperate between them, whenever necessary and desirable, concerning such implementation.

5. In Nagorny Karabakh I found a completely different attitude on the part of the local Armenian community leaders. Their attitude appeared to be rigid and governed by military, rather than diplomatic, considerations. Although the Chairman of their Supreme Council had signed the timetable, they now told us this signature had been affixed in his personal, not his official capacity. They then went through a number of objections and in the end they handed me a letter dated 13 July 1993 spelling out such objections.

6. Some of them were of a general political nature, such as, for instance, a series of remarks and questions on the political process under way in Azerbaijan. Other points related to the plan itself, but none of these seemed to represent a fundamental obstacle to the entry into force of the timetable.

7. I then agreed to send them a reply to the various points and objections raised. This I did on 16 July, refuting the political points as being not pertinent in the context of the negotiating process. I also provided them with the requested explanations and clarifications on the technical issues and asked them to confirm their signature definitively.

8. In their letter dated 20 July, they appeared to have dropped some of their earlier objections, while insisting on some others, and raising some new points. They mentioned having given their agreement in principle. They did not confirm it, but neither did they openly challenge it. They also reconfirmed their attachment to a peaceful solution.

9. I then convened a meeting of the nine countries, which was held in Rome on 22 and 23 July. While the meeting was in progress and we were working on the final version of the timetable, we received the news that the city of Agdam, after a continued escalation of hostilities and armed attacks, had been seized by opposing forces. We were then facing a situation where not only had resolution 822 (1993) not been implemented three months after its approval, but further territories of the Azerbaijani Republic were being occupied.

10. I then proposed to publish the attached statement (see appendix), which was unanimously endorsed by the nine.

11. The nine also approved the terms of a letter that I sent to the Chairman-in-Office, with a view to suggesting that a CSCE presence be established in the region and recommending that preparations for a CSCE Monitoring Mission be continued.

12. I hardly need to underline that the seizure of Agdam is in flat contradiction with past Nagorny Karabakh Armenian assurances that they remained committed to a peaceful settlement of the conflict and, specifically, that they had no intention of taking Agdam. It also belies their statement to me that their forces in the Agdam region had no intention of advancing any further and, therefore, had surrounded themselves with minefields that could not be removed (hence their refusal to let my mission travel along the Agdam-Stepanakert road, as we had requested). Nor can the taking of Agdam be excused on grounds of self-defence: I myself had visited the place and, from what my mission and I have seen, I consider that the military situation was such that Agdam posed no serious military threat to Nagorny Karabakh.

13. We are now trying to assess whether the seizure of Agdam signifies a definitive departure by the Nagorny Karabakh Armenians from a compromise settlement in which - just as the other parties to the conflict - they would not fully achieve their present objectives.

14. The CSCE negotiating process will continue despite this undoubted setback. It is, however, my conviction that, given the present political and military balance of forces, a new impetus cannot be provided to the peace process by diplomatic ingenuity alone. Political pressure is needed by the international community, and some diplomatic groundwork should be done in selected capitals, along with the continuation of the CSCE negotiating process. Needless to say, CSCE readiness to send an observer mission is being maintained.

15. I believe that our ongoing negotiating process would be well served by further political support and coordinated political pressure by the international community. In this spirit, I venture to suggest some areas where, in my assessment, early action by the Security Council would contribute in an important way to the peaceful settlement of the conflict in accordance with resolution 822 (1993).

16. These areas may include:

(a) Condemning the seizure of Agdam as a new specific threat to peace and security in the region, and as an act that cannot be justified on self-defence grounds and that contradicts the commitment to a peaceful settlement of the conflict;

(b) Condemning all bombardments and shelling of inhabited areas and population centres in the area of conflict;

(c) Demanding an immediate and unconditional withdrawal from all recently occupied territories, as already requested in Security Council resolution 822 (1993), including the city of Agdam, which should be kept free from further destruction and looting, and other territories occupied after that resolution was approved;

(d) Requesting an immediate cessation of hostilities throughout the area of conflict;

(e) Requesting that arrangements be made, with international assistance, so that refugees can return to their homes as soon as the occupying forces are withdrawn;

(f) Supporting the "timetable of urgent steps to implement United Nations Security Council resolution 822 (1993)" worked out by the nine countries of the Minsk Group, and endorsing the Group's continuing efforts to find a peaceful solution to the conflict;

(g) Requesting all States to impose an immediate embargo on all deliveries of weapons and munitions to forces engaged in combat in the Nagorny Karabakh area;

(h) Warning parties to the conflict against any further escalation of hostilities and about the international consequences of such actions.

Appendix

Statement by the Chairman of the CSCE Minsk Conference on the offensive on and reported seizure of the Azerbaijani city of Agdam

The Chairman of the CSCE Minsk Conference on Nagorny Karabakh, together with the representatives of the nine countries that are co-sponsors of the cease-fire timetable for Nagorny Karabakh, strongly condemn the offensive on, and the reported seizure of, the Azerbaijani city of Agdam. They ask for the immediate cessation of hostilities and for the withdrawal from the occupied territory.

This unacceptable act occurred at the very moment when the nine were meeting to prepare the final version of the cease-fire timetable. It specifically violated direct and repeated commitments made to the Chairman of the Minsk Conference by the leaders of the Armenian community of Nagorny Karabakh that they would not seize Agdam.

This behaviour, recalling similar actions with respect to the Azerbaijani territory of Kelbajar, calls into question whether it is possible to continue to include this group in the CSCE negotiating process for the Nagorny Karabakh conflict.

The Minsk Group has worked in good faith for more than one year to help to find a peaceful solution to the situation of Nagorny Karabakh. Based on this work, CSCE is prepared to dispatch a substantial Monitoring Mission to help to ensure that a cease-fire is respected while negotiations move forward on the political status of Nagorny Karabakh. Each time the Group has reached a significant milestone in its work, military actions have been undertaken that have undercut these efforts. It is in the interest of the Armenian community of Nagorny Karabakh to respect Security Council resolution 822 (1993) and the decisions of the Minsk Group and to withdraw immediately from territories recently seized by force. This is the key factor in ensuring that peaceful negotiations can move forward.

Those who encourage the Armenian community of Nagorny Karabakh to continue the fighting and the encroachment on the surrounding territories share responsibility for the continuing loss of Armenian lives and the destruction of the Armenian economy.

For his part the Chairman of the Minsk Conference requested CSCE to establish a presence in the region as soon as possible. A report will also be presented to the President of the United Nations Security Council on this serious and alarming setback to the Group's efforts to find a solution to the ongoing conflict.

The nine will meet again next week to consider further steps.

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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION CONCERNING WESTERN SAHARA

1. In a status report submitted to the Security Council on 21 May 1993 (S/25818), I had informed the Council of my decision to visit the mission area in the first week of June, in pursuance of paragraph 2 of resolution 809 (1993), which called for an intensification of efforts in order to resolve outstanding issues, particularly those relating to the interpretation and application of the criteria for voter eligibility.

2. I visited the mission area from 31 May to 4 June 1993, accompanied by my Special Representative, Sahabzada Yaqub-Khan. The present document contains a report on my mission and on further efforts in pursuance of resolution 809 (1993).

3. At Rabat I was received by His Majesty King Hassan II of Morocco. I also held meetings with the Prime Minister, Mr. Mohamed Karim Lamrani, the Minister of State, Mr. Moulay Ahmed Alaoui, the Minister of State for Foreign Affairs and Cooperation, Mr. Abdellatif Filali, and the Minister of the Interior and Information, Mr. Driss Basri, and other senior officials. In the area of Tindouf I met with the Secretary-General of the Frente Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO), Mr. Mohammed Abdelaziz. Senior Frente POLISARIO officials were also present. At Algiers I was received by the President of the Haut Comité d'Etat, Mr. Ali Kafi. Meetings were also held with the Head of Government, Mr. Belaid Abdeslam, and other members of the Haut Comité d'Etat, Mr. Redha Malek, Minister for Foreign Affairs, and General Khaled Nazzar, Minister of Defence. While on a subsequent mission at Vienna from 10 to 17 June, I held further consultations with the Permanent Representative of Morocco to the United Nations, Mr. Ahmed Snoussi, the POLISARIO Coordinator with the United Nations Mission for the Referendum in Western Sahara (MINURSO), Mr. Mustafa Bachir Sayed, and the Foreign Minister of Algeria, as well as the Permanent Representative of Mauritania to the United Nations, Mr. Mohamedou Ould Mohamed Mahmoud.

4. Additionally, the current Chairman and the Secretary-General of the Organization of African Unity (OAU) were kept regularly informed of ongoing efforts in pursuance of Security Council resolution 809 (1993). Other senior government officials from States members of the Security Council were briefed by me on the Western Sahara question during my visits to Paris and Vienna.

5. The aim of my visit to the mission area was to urge the parties to accept a compromise solution with regard to the interpretation and application of the criteria for voter eligibility. To this effect I presented to the parties a comprehensive text (see annex I) based on talks with the parties in August and September 1992 and on their comments regarding the outline of a possible compromise which my Special Representative had proposed during a visit to the mission area in March 1993. I invited the parties to convey to me as early as possible their views regarding the acceptability of my compromise proposals, to enable me to submit recommendations to the Security Council in a full report in pursuance of resolution 809 (1993).

6. To follow up my discussions with the authorities concerned, my Special Representative held another round of meetings in the mission area from 5 to 20 June 1993. During these and subsequent consultations, both parties reaffirmed their commitment to the implementation of the peace plan in its entirety and their determination to move towards an early referendum. Both parties stressed that they did not reject the proposed compromise but expressed reservations on certain provisions of the text. Reservations expressed by the authorities at Rabat centred on specific provisions concerning tribal links with the Territory which, in their view, were unduly restrictive. In spite of these concerns, Morocco has since acquiesced in the compromise in its present form.

7. For its part the Frente POLISARIO conveyed to the Special Representative its acceptance of all the criteria for voter eligibility enunciated by my predecessor in the annex to his report of 19 December 1991 (S/23299), thus signifying a favourable change in the earlier position of the Frente POLISARIO which had consistently objected to several of these criteria. With regard to the proposed compromise on the interpretation and application of the criteria for voter eligibility, the Frente POLISARIO also conveyed its acceptance of oral testimony in support of individual applications for participation in the referendum, which indicates another favourable change in its earlier position. However, in expressing substantial reservations on the compromise, the POLISARIO authorities proposed several amendments to the text. Their reservations and proposed amendments concern primarily provisions relating to tribal links with the Territory and to the composition of the tribal chiefs (shiukhs) invited to testify, which they consider unduly permissive.

8. As is well known, we have consistently sought to encourage direct talks between the parties as a way of facilitating the implementation of the peace plan. It was therefore gratifying to learn that, shortly after my visit to the mission area, both parties finaliy agreed to initiate direct talks in mid-July at Laayoune and to ask for the assistance of the United Nations in holding this meeting. Notwithstanding difficulties in the preparation and organization of the talks and other problems, mostly of a procedural nature, the delegations of Morocco and the Frente POLISARIO met from 17 to 19 July 1993 at Laayoune, in the presence of my Special Representative as United Nations observer. While it would have been unrealistic to expect a major breakthrough on substantial issues - nor was this the primary aim of the talks - it was an encouraging sign that this exploratory dialogue was held in a positive spirit, marked by restraint and mutual respect. Neither party has excluded the possibility of resuming the talks for wider discussions on issues of mutual concern. It is my earnest hope that such talks will soon be resumed as a follow-up to the Laayoune initiative.

9. In paragraph 3 of its resolution 809 (1993), the Security Council further asked for preparations for the holding of the referendum and urged that voter registration commence promptly, starting with the updated lists of persons included in the 1974 census. Pursuant to this request, Mr. Erik Jensen was appointed Chairman of the Identification Commission in May 1993 and immediately travelled to Rabat, Laayoune, Tindouf, Algiers and Nouakchott with a view to initiating the process of identification and registration of voters. He also assembled the members of the Commission and a team of registration officers. The former group arrived in Laayoune in June. On the basis of the mandate (see annex II) promulgated on 26 April 1993 in conformity with the relevant provisions of the settlement plan and article 11 of the general regulations of 8 November 1991 (see annex III), the Identification Commission began work on establishing with the authorities of both parties the detailed procedures for identification and registration, starting in the Laayoune and Tindouf areas.

10. Proposals regarding specific measures to initiate the above process were at first agreed, but reservations expressed subsequently made it necessary to modify certain aspects. Further discussions, which were facilitated by the presence of both parties at the direct talks in Laayoune, have since led to revised proposals for the organization of work, which should now make it possible for the actual identification and registration of potential voters to start. Meanwhile, the complicated but essential practical and logistical arrangements have been proceeding, registration materials are being prepared and most of the specialized technical equipment is expected to arrive shortly. One Identification Commission team has been deployed to Tindouf to begin preliminary work in that area.

11. The Police Commissioner, Colonel Jürgen Friedrich Reimann (Germany), who assumed his functions in May 1993 as Head of the Security Unit of MINURSO, arrived in the mission area, with a small contingent of 19 civilian police officers from Belgium (5), Germany (4), Malaysia (5) and Togo (5). This first contingent will accompany the registration teams to provide security and order at the various sites for registering voters.

12. The above report outlines factual developments related to my visit to the mission area and events that followed it. The intensification of efforts to overcome existing difficulties has contributed to the holding of direct talks between the parties which, if sustained, will hopefully facilitate the implementation of the settlement plan. The progress towards the registration of voters, which is gathering momentum, is another concrete step. The exchange of views has sharpened focus on outstanding issues. Foremost among these is the urgency of the acceptance of the compromise on the interpretation and application of the eligibility criteria.

13. I intend to submit in due course a full report to the Security Council in pursuance of resolution 809 (1993).

Annex I

[Original: French]

Interpretation and application of the criteria and procedures for establishing identity annexed to the report of the Secretary-General of 19 December 1991 (S/23299)

COMPROMISE PUT FORWARD TO THE TWO PARTIES BY THE SECRETARY-GENERAL

1. In accordance with paragraph 58 of document S/21360 and paragraph 9 of document S/22464, as well as regulations 5 to 26 of the General Regulations for the Organization and Conduct of the Referendum in Western Sahara (hereinafter referred to as the "General Regulations"), issued by the Secretary-General on 8 November 1991, the following comprises the interpretation of the criteria and procedures for establishing identity as well as the eligibility of Saharans to participate in the referendum set forth in the annex to the report of the Secretary-General of 19 December 1991 (S/23299).

I. CRITERIA FOR ELIGIBILITY TO PARTICIPATE IN THE REFERENDUM

2. The criteria for eligibility to participate in the referendum on self-determination for the people of Western Sahara can be grouped in the following five categories:

1. Persons whose names are included in the revised 1974 census list (S/23299, para. 23);

2. Persons who were living in the Territory as members of a Saharan tribe at the time of the 1974 census but who could not be counted (ibid., para. 25);

3. Members of the immediate family of the first two groups (father, mother and children) (ibid., paras. 23 and 26);

4. Persons born of a Saharan father born in the Territory (ibid., para. 29);

5. Persons who are members of a Saharan tribe belonging to the Territory and who have resided in the Territory for six consecutive years or intermittently for 12 years prior to 1 December 1974 (ibid., paras. 30 and 31).

3. Any Saharan meeting any of the above criteria must be 18 years of age or over on the closing date for inclusion in the voters list, which date shall be established by the Special Representative in accordance with regulation 13 of the General Regulations.

First criterion

4. The persons covered under the first criterion are those whose names appear on the 1974 Western Sahara census list as revised by the Identification Commission on the basis of information provided by the two parties in accordance with the provisions of paragraph 21 of document S/22464. The Commission revised the 1974 list by removing the names of persons deceased since that date.

Second criterion

5. Persons referred to under the second criterion must prove (a) that they are members of a Saharan subfraction included in the 1974 census and (b) that they resided in the Territory at the time of the census.

6. In view of the nomadic nature of Saharan society it will suffice for the person concerned, having satisfied the conditions in (a), to prove in accordance with (b) that his principal area of residence was in Western Sahara at the time of the census.

Third criterion

7. Persons covered under the third criterion must prove their close relationship - as father, mother or child - with Saharans whose eligibility to participate in the referendum has been established on the basis of the first or second criterion. In the case of a child, he or she must prove his or her relationship with the father or mother whose eligibility to vote has been established on the basis of the first or second criterion.

Fourth criterion

8. Those persons who are not covered by any of the three preceding criteria can apply to participate in the referendum in accordance with the fourth criterion. (This thus covers Saharans who (a) were not present in the Territory at the time of the 1974 census, (b) cannot produce supporting evidence to prove that they were present at the time of the census, (c) have no close relationship with persons eligible to participate in the referendum on the basis of the first or second criterion, or (d) cannot produce supporting evidence establishing such a relationship.)

9. The applicant must prove that his father is (a) a member of a Saharan subfraction included in the 1974 census and (b) was born in the Territory within its currently recognized international borders. If the father meets these two conditions the person concerned must prove his relationship with the father.

10. The mother and father of the applicant must apply individually to participate in the referendum in accordance with any of the criteria for eligibility. This also applies, where appropriate, to preceding generations.

11. Descendants of the applicant born outside the Territory are not eligible to participate in the referendum under the fourth criterion.

Fifth criterion

12. Persons who cannot meet any of the first four criteria may apply to participate in the referendum under the fifth criterion. These persons must prove (a) that they are members of a Saharan subfraction included in the 1974 census (b) who have resided in the Territory, within its currently recognized international borders, for 6 consecutive years or intermittently for 12 years prior to 1 December 1974.

13. Taking into account the provisions of the second criterion, those Saharans who resided in the Territory before the 1974 census may apply to participate in the referendum under the fifth criterion. The applicant, having met the conditions specified in (a), will need to demonstrate, pursuant to (b), that his principal area of residence was in Western Sahara over the requisite period (that is 6 consecutive years or intermittently for 12 years), before the census.

II. SUPPORTING EVIDENCE

14. Paragraph 32 of the annex to document S/23299 states: "The process of identification of people eligible to participate in the referendum will involve a number of proofs that applicants will have to provide in support of their claim. Official documents, well known to the Saharans and used by them, will help the Commission in making its assessment. In addition, the Commission will take into consideration the fact that in the Saharan society, oral testimonies play an important part in all social activities. Those testimonies, given under appropriate conditions, will also assist the Commission in judging the merits of individual applications."

15. Taking into account these considerations, any person applying to participate in the referendum must submit official documents to the Identification Commission in order to enable the Commission to establish his identity in accordance with the first criterion, or his identity and eligibility to vote in accordance with any of the second to fifth criteria. In that the factors and circumstances connecting the applicant to the Territory must in general precede 1 December 1974, the official documents which the applicant must submit are those issued by the former Spanish Territorial authorities, apart from in the cases provided for in paragraphs 16 and 17 below.

16. Exceptionally, where an applicant does not possess the above documents or has incomplete or inadequate documents, the Identification Commission may determine eligibility to vote taking into account testimony by tribal chiefs (sheikhs) in accordance with the provisions of paragraphs 20 to 23 below. At the request of the applicant the sheikhs may rely where appropriate on traditional documents, such as certificates issued by an adl or other documents certified by a cadi of long standing.

17. An individual applying to participate in the referendum under the fourth criterion will have to prove his paternal relationship and identity on the basis of official documents issued by the government authorities of his country of birth or current residence, taking into account the conditions and procedures provided for in paragraph 19 below. It is understood that the applicant will need to prove at the outset that his father was born in the Territory and, to

that end, supply documents issued by the former Spanish Territorial authorities in accordance with paragraphs 9 and 15 and taking into account the provisions of paragraph 16.

Official documents

18. Documents issued by the government authorities referred to in paragraphs 15 and 17, such as passports, identity cards, family record books, birth, marriage and death certificates and residency permits, will be accepted as official identity or other documents in support of individual applications to participate in the referendum.

19. It will be for the Identification Commission to determine the admissibility of supporting documents. It will also fall to the Commission to verify the authenticity of such documents and the accuracy of the information therein. To that end the Commission may have recourse to expert assistance, in accordance with regulation 12 of the General Regulations.

Oral testimony

20. Only sheikhs of the Saharan subfractions included in the 1974 census will be eligible to testify before the Identification Commission in support of individual applications to participate in the referendum. They will testify on every application, solemnly swearing to tell the whole truth and nothing but the truth.

21. The sheikhs referred to in the above paragraph largely comprise (a) the old sheikhs elected in 1973 or (b), in accordance with Saharan tradition, the eldest son in the event of the death or incapacity of any of those sheikhs. The Identification Commission will make use of the services of other notables from the Saharan subfraction included in the 1974 census if circumstances so require, for example, if the subfraction included in the 1974 census is geographically dispersed.

22. In any event the sheikhs of the subfraction to which the applicant belongs will need to attest to his identify before the Identification Commission. In the cases provided for paragraph 16, they will also be called upon to testify before the Commission to help it to determine the eligibility of the applicant to vote in the referendum.

23. Small subfractions, where necessary, will be combined into fractions. The Identification Commission will then call on sheikhs at the fraction level.

III. REVIEW OF INDIVIDUAL APPLICATIONS TO PARTICIPATE IN THE REFERENDUM

24. Paragraph 21 of document S/22464 provides, inter alia, that the Identification Commission, assisted by the tribal chiefs and in the presence of observers from the Organization of African Unity and the parties, will meet in

New York or Geneva to review individual applications to participate in the referendum.

25. Given that the Identification Commission must verify all supporting evidence so as to be able to decide on individual applications, the Commission, rather than meeting in New York or Geneva, should take the necessary measures in the mission area, with the assistance of tribal chiefs and in the presence of observers of the two parties and of Organization of African Unity. The Commission will then determine an applicant's eligibility to vote on submission and verification of the requisite supporting evidence.

IV. GENERAL OBSERVATIONS

26. The interpretation given here of the criteria and procedures for verification represent a compromise which, while taking into account the positions of the two parties, inevitably fails to conform to all their views or meet all their concerns. In this connection it should be noted that the aim of the interpretation of the criteria and procedures for identification given here is not to seek to define a "Saharan nationality" but to establish free of any bias a Saharan electorate which may determine the future of the Territory of Western Sahara, while allowing the United Nations to organize and supervise the referendum in a balanced and equitable manner in accordance with the peace plan.

27. Owing to the difficulties inherent in the identification of voters belonging to a nomadic tribal society extending over several countries of the region and beyond, the procedures regarding supporting evidence have been the subject of particular scrutiny in order to monitor as far as possible the identity and eligibility to vote of individuals applying to participate in the referendum.

28. Recourse procedures will be established, in accordance with paragraph 23 (b), of document S/22464 and regulation 15 of the General Regulations.

Annex II

[Original: French]

Terms of reference of the Identification Commission

The Secretary-General of the United Nations,

In view of paragraphs 24 to 30 and 60 to 62 and paragraphs 19 to 24 respectively of reports S/21360 and S/22464 approved by the Security Council,

In view of regulation 11 of the General Regulations issued by the Secretary-General on 8 November 1991,

Hereby issues the following provisions concerning the terms of reference of the Identification Commission:

CHAPTER I. GENERAL PROVISIONS

Article 1. The Identification Commission shall be responsible for establishing the final list of Saharans qualified to participate in the voting during the referendum on self-determination for the people of Western Sahara, taking into account the modalities provided for in paragraphs 24 to 30 and 60 to 62 of report S/21360 and in paragraphs 19 to 24 of report S/22464.

Article 2. In carrying out its terms of reference, the Identification Commission shall follow the directives and instructions of the Special Representative of the Secretary-General for Western Sahara who, acting under the authority and, as required, on the instructions of the Secretary-General, shall be solely responsible for all questions relating to the organization and supervision of the referendum, in accordance with the settlement plan.

Article 3. In the performance of its functions, concerning identification, registration and appeals, the Identification Commission shall be composed of:

The field offices of the Identification Commission,

The central Identification Commission.

Article 4. The field offices shall be responsible for the identification and registration of voters and for the processing of appeals, in accordance with chapters III and IV of these terms of reference.

The field offices shall be opened before the publication of the list referred to in article 10 below. The field offices shall consist of the head of the office and assessors, whose number shall be established by the Chairman of the Identification Commission, in agreement with the Special Representative. The field offices shall appoint, from among their members, an instructor and a rapporteur.

Article 5. The central Identification Commission shall be responsible for taking a final decision on appeals. It may establish subcommissions to assist it for that purpose. Those responsible for taking a decision against which an appeal has been lodged shall not be entitled to rule on the appeal.

Article 6. The field offices and the central Identification Commission shall take their decisions as soon as possible.

CHAPTER II. UPDATING OF THE 1974 CENSUS

Article 7. During the first stage of its work, the Identification Commission shall update the 1974 census, with the assistance of the tribal chiefs of Western Sahara and in the presence of observers from the Organization of African Unity and the parties, taking into account the modalities provided for in paragraphs 20 and 21 of report S/22464. It shall update the 1974 census list:

(a) By removing from that census list the names of persons who have since died;

(b) By considering applications from persons who claim the right to participate in the referendum on the grounds that they are Saharans and were omitted from the 1974 census.

Article 8. After making the required revisions to the 1974 list in accordance with article 7 (a), the Identification Commission, with the approval of the Special Representative, shall publish the revised list, both within Western Sahara and outside, in places where numbers of Saharans are living. At the same time, it shall also publish instructions on how individual Saharans can apply, in writing, before the deadline for registration to be established by the Special Representative, for inclusion in that list on the grounds that they were omitted from the 1974 census.

Article 9. The Identification Commission shall review the aforementioned applications under the supervision of the Special Representative, taking into account the procedures provided for in particular in paragraph 21 of report S/22464.

Article 10. On completing that review, the Identification Commission shall publish, through the Special Representative and following clearance by the Secretary-General of the United Nations, a consolidated list of the persons who have been judged eligible to vote on the basis of the revised 1974 census and the applications received, both within the Territory and outside, in places where numbers of Saharans are living.

CHAPTER III. IDENTIFICATION OF PERSONS QUALIFIED TO PARTICIPATE IN THE REFERENDUM AND ISSUANCE OF VOTERS' CARDS

Article 11. During the second stage of its work, the Identification Commission shall be responsible, with the assistance of the tribal chiefs of Western Sahara, for:

(a) Identifying the persons qualified to vote whose names are on the list referred to in article 10 of these terms of reference and, upon presentation and verification of the evidence required in accordance with article 12, issuing voters' cards to them;

(b) Establishing and organizing procedures for appeals against non-inclusion in the list referred to in article 10 or against decisions taken under paragraph (a) above.

Article 12. The identification of persons qualified to vote whose names are on the list published pursuant to article 10 shall take place at the field office closest to the place where the person concerned normally lives; the latter shall submit an application for a voter's card, accompanied by evidence establishing his identify and his eligibility to vote. The field office shall verify the evidence provided by the person concerned, and, having established his identity and confirmed his eligibility to vote, shall automatically issue to him a voter's card.

Article 13. Any person who is refused a voter's card shall be informed of the grounds for that refusal and of his right to lodge an objection appeal under article 15 (b) below.

Article 14. Each field office shall establish and publish the list of persons to whom it has issued a voter's card. The list shall be dated and signed by the head of the office.

CHAPTER IV. APPEALS

Article 15. Appeals may be lodged:

(a) By persons whose names are not included in the list published in accordance with article 10 above;

(b) By persons whose identity has not been conclusively established in accordance with article 12 and who have therefore been refused a voter's card;

(c) Against decisions concerning the issuance of voters' cards, by any person who can provide sufficient evidence and is on the list published pursuant to article 14.

Article 16. The decisions on appeals taken by the Identification Commission shall be communicated individually and in writing to the persons concerned. These decisions shall be final and not subject to appeal.

A. Appeals against non-inclusion

Article 17. The appeals against non-inclusion referred to in article 15 (a) shall be lodged with the field office closest to the place where the appellant normally lives, within a time-limit not exceeding 15 days following the date of publication of the list provided for in article 10 above.

Article 18. The appeal shall be submitted in writing and shall set out the grounds on which it is based. The appellant shall mention all the new circumstances or facts which might lead to a reconsideration of his case, accompanied by appropriate evidence.

Article 19. The field office shall be responsible for examining the file and verifying the evidence. It shall establish a file in which shall be placed, in particular, statements by tribal chiefs of Western Sahara concerning any validly established facts proving the right of the person concerned to participate in the referendum.

In the light of the evidence available to it, the field office shall recommend that the appeal be allowed or dismissed and shall transmit the file to the central Identification Commission.

Article 20. The central Identification Commission shall take a final decision on the appeal. It may request additional information. If the appeal is allowed, the name of the person concerned shall be added to the list provided for in article 10 above. The field office referred to in article 17 shall then identify the person concerned and issue to him a voter's card in accordance with articles 12 and 13. If the appeal is dismissed, the file shall be closed without further legal effect.

B. Objection appeals

Article 21. The objection appeals referred to in article 15 (b) shall be lodged with the field office which refused to issue a voter's card to the person concerned, within 15 days following the refusal.

Article 22. The appeal shall be submitted in writing and shall set out the grounds on which it is based. The appellant shall mention all the new circumstances or facts which might lead to a reconsideration of his case, accompanied by appropriate evidence. The field office referred to in article 21 shall follow the same procedure as that described in article 19.

Article 23. The central Identification Commission shall take a final decision on the appeal. It may request additional information. If the objection is allowed, the field office referred to in article 21 shall automatically issue a voter's card to the appellant and shall add him to the list provided for in article 14. The issuance of the voter's card to the appellant shall not be subject to subsequent challenge under article 15 (c). If the objection is dismissed, the file shall be closed without further legal effect.

C. Appeals challenging the issuance of voters' cards

Article 24. The appeals challenging the issuance of voters' cards referred to in article 15 (c) shall be lodged with the field office which issued the cards, within a time-limit not exceeding 15 days following the publication of the list provided for in article 14.

Article 25. The appeal shall be submitted in writing and shall set out the grounds on which it is based. The appellant shall mention all factors which might lead to a reconsideration of the issuance of a voter's card to a particular individual. The field office referred to in article 24 shall follow the same procedure as that described in article 19.

Article 26. The central Identification Commission shall take a final decision on such appeals. It shall notify the person concerned that an appeal has been lodged challenging the issuance of his voter's card and shall request him to provide additional information. If the appeal is allowed, the name of the voter concerned shall be deleted from the voters list referred to in article 14, the person concerned shall be duly notified and the voter's card shall be cancelled. If the appeal is dismissed, the file shall be closed without further legal effect.

CHAPTER V. FINAL PROVISIONS

Article 27. The central Identification Commission shall record the results of its work in a report addressed to the Special Representative. The consolidated list of voters established and signed by the central Identification Commission shall be annexed to the report.

Article 28. The Special Representative shall submit the list referred to in article 27 to the Secretary-General of the United Nations for examination, in consultation with the President in office of the Organization of African Unity. The final voters list shall be published by the Special Representative as soon as the Secretary-General has given his authorization.

Article 29. The Identification Commission shall determine the administrative and technical procedures necessary for the implementation of these terms of reference, in accordance with the settlement plan and regulation 15 of the General Regulations.

Done in New York on 26 April 1993

(Signed) Boutros BOUTROS-GHALI

Annex III

[Original: French]

General Regulations for the Organization and Conduct of the Referendum in Western Sahara

The Secretary-General of the United Nations,

In view of resolution 658 (1990), by which the Security Council approved the report of the Secretary-General of the United Nations on the situation concerning Western Sahara (S/21360),

In view of resolution 690 (1991), by which the Security Council approved the report of the Secretary-General (S/22464) and decided to establish, under its authority, a United Nations Mission for the Referendum in Western Sahara,

In view of paragraph 58 of the aforementioned report of the Secretary-General (S/21360),

In view of paragraph 9 of the aforementioned report of the Secretary-General (S/22464),

Hereby issues the Regulations provided for in the aforementioned texts with a view to the organization, supervision and conduct of the referendum.

CHAPTER I. GENERAL PROVISIONS

Regulation 1. These Regulations shall be interpreted in accordance with the relevant provisions of reports S/21360 and S/22464 of the Secretary-General of the United Nations.

Regulation 2. The term "mission area" means the Territory of Western Sahara and the designated locations in neighbouring countries in which the United Nations Mission for the Referendum in Western Sahara performs any of its functions.

The term "Territory" means the Territory of Western Sahara.

The term "voters list" means the list of persons qualified to vote in the referendum.

The term "settlement plan" refers to the two reports approved by the Security Council mentioned in regulation 1.

Regulation 3. These Regulations shall be called "General Regulations for the Organization and conduct of the Referendum in Western Sahara".

Regulation 4. The referendum shall be organized and conducted in accordance with the following principles:

The referendums shall enable persons duly identified and qualified to vote by the Identification Commission to choose between independence and integration with Morocco;

The referendum shall be held in the Territory;

The referendum shall be free and equitable;

All Saharans who are aged 18 years or older on the closing date for inclusion in the voters list and who have been identified and qualified to vote by the Identification Commission may participate in the referendum;

The referendum shall be held in accordance with the principles of universal free and equitable suffrage, by secret ballot and by a simple majority of valid votes cast.

CHAPTER II. THE SPECIAL REPRESENTATIVE

Regulation 5. The Special Representative of the Secretary-General of the United Nations shall be the sole authority responsible, under the direction of the Secretary-General of the United Nations, for the organization and supervision of the referendum, in accordance with the principles set forth in regulation 4 of these General Regulations and in application of the settlement plan.

Regulation 6. In the performance of his task, the Special Representative shall be assisted by a support group called the "United Nations Mission for the Referendum in Western Sahara" (MINURSO).

Regulation 7. Under the authority of the Special Representative, the United Nations Mission for the referendum in Western Sahara shall consist of:

The Deputy Special Representative

The agents and officials of the Civilian, Military and Security Units

The Identification Commission

The Referendum Commission

Regulation 8. In the performance of his functions, the Special Representative shall have the authority, in accordance with the settlement plan, to issue rules and instructions consistent with these Regulations in order to give detailed effect to the plan. The regulations, rules and instructions shall, in the event of any incompatibility, prevail over existing laws or measures in force in the Territory. These rules and instructions shall be communicated to the parties, as required, and shall also be given appropriate publicity in the Territory and, if necessary, in the mission area.

Regulation 9. The decisions and measures referred to in regulation 8 shall concern in particular:

The deadline for inclusion in the voters list, after which no application for inclusion will be accepted, in accordance with the provisions of the settlement plan;

The starting date, conduct and closing date of the referendum campaign;

Freedom of movement, assembly and speech during the referendum campaign;

The regulation, date and material organization of the voting (hours, days, polling stations, ballot forms, etc.);

The procedures for receiving and examining complaints and appeals;

The proclamation of the results.

With a view to ensuring that the provision he is led to adopt in the performance of his functions, as set forth in the plan, are respected, maintaining law and order and ensuring the probity of the voting, the Special Representative may call on the Security Unit or, if appropriate, the Military Unit placed under his authority.

Regulation 10. In accordance with the settlement plan, the Special Representative shall take the necessary measures in order to:

(a) Give effect to the principle that the referendum is placed under the responsibility of the United Nations.

To that end, the Special Representative shall, before the beginning of the referendum campaign, ensure that the authorities involved suspend any law or measure which, in his judgement, could obstruct the conduct of a free and fair referendum and which would not otherwise be superseded by the regulations, rules and instructions referred to in regulation 8 above.

(b) Ensure the liberation of political prisoners or detainees with a view to their participation in the referendum, in accordance with the settlement plan, and the proclamation of an amnesty for such prisoners and detainees.

(c) Ensure the exchange of prisoners of war, in accordance with the settlement plan.

(d) Draw up a code of conduct that will govern the behaviour of the parties and their supporters during the referendum campaign.

(e) Ensure the repatriation of the Territory of refugees or other Saharans qualified to participate in the referendum, together with members of their immediate families, in accordance with the programme envisaged in the settlement plan, after they have been granted a general and complete amnesty.

CHAPTER III. IDENTIFICATION COMMISSION AND ESTABLISHMENT OF THE VOTERS LIST

Regulation 11. An Identification Commission shall be set up in accordance with the relevant provisions of the settlement plan. It shall be responsible for establishing the final list of Saharans qualified to participate in the voting.

The Secretary-General shall appoint the members, Chairman, Deputy Chairman and Vice-Chairmen of the Identification Commission and shall establish its terms of reference.

Regulation 12. In order to perform its function, the Identification Commission shall have the authority, in particular:

To establish subcommissions, where necessary;

To organize mobile or fixed identification and registration teams;

To call upon the assistance of any expert or adviser who can help it in its work.

Regulation 13. In accordance with the relevant provisions of the settlement plan, all Saharans duly identified by the Identification Commission and aged 18 years or over on the closing date for inclusion in the voters list shall be qualified for inclusion in that list. The Special Representative shall establish the deadline for inclusion in the list.

Regulation 14. The Identification Commission, with the assistance of the tribal chiefs and using all means of verification that it deems useful, shall examine the cases of all Saharans aged 18 years on the closing date for inclusion in the voters list who, in accordance with the relevant provisions of the settlement plan, not having been included in the revised list submit individual applications for inclusion in the voters list before the closing date for such inclusion.

Regulation 15. The Identification Commission shall draw up and issue through the Special Representative instructions concerning:

1. The Commission's operating procedures;

2. The consideration of individual applications to participate in the referendum;

3. The formalities for the identification and registration of voters;

4. Appeals procedures.

These instructions shall take effect as soon as they are published by the Special Representative.

Regulation 16. The Identification Commission shall issue to every person accepted for inclusion in the voters list a numbered voting card, in accordance with the rules established by the Special Representative. It shall make public the final voters list duly authorized by the Secretary-General of the United Nations, and shall have it publicly displayed by arrangement with the Special Representative.

Regulation 17. The Identification Commission may draw up rules of procedure to facilitate its work.

Regulation 18. The Identification Commission may hold open meetings, limited participation meetings or closed meetings according to the nature of the questions under consideration.

Regulation 19. The Identification Commission may invite, in accordance with the settlement plan, the parties or the observers to attend its open or limited participation meetings within the limit of a number to be established by the Special Representative.

CHAPTER IV. REFERENDUM COMMISSION

Regulation 20. A Referendum Commission shall be set up in accordance with the relevant provisions of the settlement plan and shall give its opinion on, draw the attention of the Special Representative to, make recommendations concerning and have the authority to establish any rules and instructions on questions relating to:

The organization and regulation of the referendum campaign;

The organization and proper conduct of the referendum until the results are proclaimed by the Special Representative, in accordance with the settlement plan and these General Regulations.

The rules and instructions of the Referendum Commission shall, where appropriate, be published by the Special Representative.

Regulation 21. The Referendum Commission shall examine the complaints and appeals submitted to it and propose to the Special Representative such means of settlement as it deems useful.

Regulation 22. The Referendum Commission shall establish the deadline beyond which no appeal shall be receivable.

Regulation 23. The Secretary-General shall appoint the members, Chairman, Deputy Chairman and Vice-Chairmen of the Referendum Commission and shall establish its terms of reference.

Regulation 24. Regulations 17, 18 and 19 of these Regulations shall be applicable to the Referendum Commission.

CHAPTER V. FINAL PROVISIONS

Regulation 25. The rules and decisions of the Special Representative, the instructions of the Identification Commission and the opinions, recommendations and instructions of the Referendum Commission shall conform to these General Regulations.

Regulation 26. Any serious implementation difficulty or divergence of views concerning the interpretation of the settlement plan or these General Regulations that may arise between the authorities of the United Nations Mission for the Referendum in Western Sahara and the parties or one of the parties shall be settled by the Secretary-General of the United Nations, after recourse to the Special Representative.

Regulation 27. These General Regulations shall enter into force as soon as they are communicated to the parties. They shall cease to have effect after the proclamation of the referendum results.

Regulation 28. The Secretary-General of the United Nations may amend the General Regulations or abrogate, where appropriate, some of their provisions.

Done at New York on 8 November 1991

(Signed) Javier PEREZ DE CUELLAR

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Security Council

Distr.
GENERAL

S/26186
28 June 1993

ORIGINAL: ENGLISH

LETTER DATED 27 JUNE 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

With respect to the letter addressed to you by the Chargé d'affaires of the Permanent Mission of a country provisionally referred to as the "Federal Republic of Yugoslavia (Serbia and Montenegro)", published as a document of the Security Council (S/26038) and informing you of a letter from the Minister for Foreign Affairs, Mr. Vladislav Jovanovic, addressed to the Co-Chairmen of the International Conference on the Former Yugoslavia, I have the honour to transmit herewith the text of a letter from the Minister for Foreign Affairs of Croatia, Mr. Mate Granic, addressed to the Co-Chairmen of the International Conference on the Former Yugoslavia.

I would ask for your kind assistance in distributing this letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

Annex

Letter dated 27 July 1993 from the Minister for Foreign Affairs of Croatia addressed to the Co-Chairmen of the International Conference on the Former Yugoslavia

With respect to the letter addressed to you by the Minister for Foreign Affairs of a country provisionally referred to as the "Federal Republic of Yugoslavia (Serbia and Montenegro)", published as a document of the Security Council (S/26038), the Government of Croatia would like to point out some of the well-known facts concerning the legal basis of the Arbitration Commission in the framework of the International Conference on the Former Yugoslavia (the Badinter Commission), and the legitimacy of its decisions. In this respect, I would like to draw your attention to the following.

The Arbitration Commission was established as a body of the Conference for Peace in Yugoslavia by the declaration on Yugoslavia adopted at an extraordinary meeting of Ministers of the European Community in the context of European political cooperation on 27 August 1991 (see S/22991, annex) - for the purpose of establishing an arbitration procedure which was to lead to decisions. This arrangement was accepted by the six former Yugoslav Republics at the opening of the Conference for Peace on 7 September 1991. From the terminology used and the composition of the Commission, it is clear that all parties have agreed "to create a body capable of resolving on the basis of law the differences which were to be submitted to the Commission by the parties, which precisely constitutes the definition of arbitration" [Interlocutory Decision (opinions Nos. 8, 9 and 10), para. 2, p. 3]. Thus, it is obvious that all the essential elements for establishing arbitration in accordance with international law were fulfilled.

In a new declaration of 3 September 1991 (see S/23010, annex), the European Community and its member States established the general principles of procedure for the Arbitration Commission, stressing that the rules of procedure for the arbitration would be established by the arbitrators, after taking into account existing organizations in that field. The six Republics also accepted this arrangement.

In conformity with the foreseen rules of procedure, the Republic of Serbia took the initiative of submitting the first two questions to the Commission, transmitted by the Chairman of the Conference. The third question was submitted by the Chairman on his own behalf. All the Republics took part in this procedure and none made the least mention of any incompetence on the Commission's part. Thus, they all demonstrated an identical interpretation of its mandate, thereby recognizing its competence.

The Arbitration Commission, proceeding in a matter initiated on 18 May 1992 by the then Chairman of the Conference, Lord Carrington, stated in its Interlocutory Decision (opinions Nos. 8, 9 and 10) on 4 July 1992 that the Commission itself was to give a judgement on its competence when it was so seized (compétence de la compétence). At the same time - as Serbia and Montenegro challenged the Commission's competence to give an opinion on the questions submitted to it - the Commission also confirmed that in that case it

was competent to reply to the three questions submitted to it by the Chairman of the Conference. In the same Decision, the question of the legal nature of the Commission was also broadly elaborated on.

I would also like to remind you that the legality of the first seven decisions of the Badinter Commission (opinions Nos. 1-7) were neither challenged nor denied. Therefore, it must be emphasized that such unilateral action of one party denying subsequently the legality of the decisions and the competence of the tribunal to which it had agreed ab initio and in whose work it had actively participated, should be qualified as mala fide behaviour. Consequently, it should be stated that only all the parties in the framework of the International Conference on the Former Yugoslavia can decide on the future changes, if any, in the mandate of the Arbitration Commission.

Following the aforementioned, it is obvious that any proposal to establish a new ad hoc arbitral tribunal or to submit the differences existing in the framework of the International Conference on the Former Yugoslavia to the Permanent Court of Arbitration at the Hague would be aimed at avoiding existing obligations and postponing the peaceful settlement of the legal issues arising from the dissolution of the former Yugoslavia. Whatever arbitral tribunal is chosen, its task is the same: all arbitral tribunals have to resolve the submitted disputes on the basis of law.

Mate GRANIC
Deputy Prime Minister and
Minister for Foreign Affairs

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Security Council

Distr.
GENERAL

S/26187
28 July 1993
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 28 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that Armenia's recent acts of aggression against Azerbaijan continue to elicit condemnation from the international community and from individual major countries in particular.

The Government of the United Kingdom has issued a statement expressing deep concern at the military operations taking place in Agdam, Fizuli and the surrounding areas and containing an appeal to the Armenian forces to withdraw immediately from Azerbaijani territory. "The British Government strongly condemns these incursions into Azerbaijan, which are a serious threat to the prospects of implementing the Minsk CSCE peace process."

According to the statement, this process has been agreed by the Governments of Armenia and Azerbaijan, and the authorities in Nagorny Karabakh must stop delaying its implementation. "It is essential that hostilities cease and that all sides now work constructively, in good faith, to restore peace to the region."

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/26188
28 July 1993
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 28 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that on 28 July 1993, Armenian armed forces, having completed their occupation of the Agdam district, are continuing to concentrate their activity in the area of the Azerbaijani towns of Fizuli and Djebrail, which are being subjected to uninterrupted rocket artillery fire.

In the Fizuli district of Azerbaijan, Armenian troops have captured 17 settlements and are now entrenching themselves in the heights overlooking them which they have captured.

In the Djebrail district, invading tank subunits of the Armenian army are firing on populated settlements.

The main flow of refugees from these districts and from the previously occupied Agdam district is concentrated in the town of Barda. According to information disseminated by the branch of the International Committee of the Red Cross in Azerbaijan, the Red Cross office in Barda is unable to cope with such a massive flow of refugees.

Heavy weapons and reinforcements continue to be transported from Armenia through the Lachin and Kelbajar districts, which are illegally occupied by the Armenian armed forces, into the Nagorny Karabakh area of Azerbaijan.

In the past few days, there has been continued shelling from Armenia of border settlements in the Kazakh, Ordubad and Zangelan districts of Azerbaijan.

In view of the foregoing, I should like to request that these facts be taken into account when the Security Council meets to consider the question of Armenia's aggression against Azerbaijan.

I should be grateful if this letter could be circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/26189
28 July 1993

ORIGINAL: ENGLISH

LETTER DATED 28 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that the Armenian aggression in the district of Agdam has been condemned by leading countries.

In particular, the spokesman for the Ministry of Foreign Affairs of France, made a statement during a press briefing on 27 July 1993, which read as follows:

> "We have consistently declared ourselves in favour of a political resolution of the question of Nagorny Karabakh and with this aim, we have supported the efforts of the Conference on Security and Cooperation in Europe (CSCE).
>
> The Minsk Group met last week in Rome and announced that it condemned the Armenian attacks against Agdam, which have been carried out in violation of recent agreements."

The spokesman further pointed out the following:

> "You may remember that the Security Council in resolution 822 (1993) had already confirmed the responsibility of the Armenian forces in the intensification of hostilities. And on June 3, when Mr. Juppe met his Armenian counterpart, Mr. Papazian, he had pointed out to him our position in favour of a negotiated settlement under the auspices of the CSCE."

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

UNITED
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Security Council

Distr.
GENERAL

S/26190
29 July 1993

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming its resolution 822 (1993) of 30 April 1993,

Having considered the report issued on 27 July 1993 by the Chairman of the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE) (S/26184),

Expressing its serious concern at the deterioration of relations between the Republic of Armenia and the Azerbaijani Republic and at the tensions between them,

Welcoming acceptance by the parties concerned of the timetable of urgent steps to implement its resolution 822 (1993),

Noting with alarm the escalation in armed hostilities and, in particular, the seizure of the district of Agdam in the Azerbaijani Republic,

Concerned that this situation continues to endanger peace and security in the region,

Expressing once again its grave concern at the displacement of large numbers of civilians in the Azerbaijani Republic and at the serious humanitarian emergency in the region,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

1. Condemns the seizure of the district of Agdam and of all other recently occupied areas of the Azerbaijani Republic;

2. Further condemns all hostile actions in the region, in particular attacks on civilians and bombardments of inhabited areas;

3. Demands the immediate cessation of all hostilities and the immediate, complete and unconditional withdrawal of the occupying forces involved from the district of Agdam and all other recently occupied areas of the Azerbaijani Republic;

4. Calls on the parties concerned to reach and maintain durable cease-fire arrangements;

5. Reiterates in the context of paragraphs 3 and 4 above its earlier calls for the restoration of economic, transport and energy links in the region;

6. Endorses the continuing efforts by the Minsk Group of the CSCE to achieve a peaceful solution to the conflict, including efforts to implement resolution 822 (1993), and expresses its grave concern at the disruptive effect that the escalation of armed hostilities has had on these efforts;

7. Welcomes the preparations for a CSCE monitor mission with a timetable for its deployment, as well as consideration within the CSCE of the proposal for a CSCE presence in the region;

8. Urges the parties concerned to refrain from any action that will obstruct a peaceful solution to the conflict, and to pursue negotiations within the Minsk Group of the CSCE, as well as through direct contacts between them, towards a final settlement;

9. Urges the Government of the Republic of Armenia to continue to exert its influence to achieve compliance by the Armenians of the Nagorny Karabakh region of the Azerbaijani Republic with its resolution 822 (1993) and the present resolution, and the acceptance by this party of the proposals of the Minsk Group of the CSCE;

10. Urges States to refrain from the supply of any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory;

11. Calls once again for unimpeded access for international humanitarian relief efforts in the region, in particular in all areas affected by the conflict, in order to alleviate the increased suffering of the civilian population and reaffirms that all parties are bound to comply with the principles and rules of international humanitarian law;

12. Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population and to assist displaced persons to return to their homes;

13. Requests the Secretary-General, in consultation with the Chairman-in-Office of the CSCE as well as the Chairman of the Minsk Group, to continue to report to the Council on the situation;

14. Decides to remain actively seized of the matter.

UNITED NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/48/284
S/26191
28 July 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Items 34, 35, 85 and 86 of the
provisional agenda*
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
UNITED NATIONS RELIEF AND WORKS
AGENCY FOR PALESTINE REFUGEES
IN THE NEAR EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND
OTHER ARABS OF THE OCCUPIED
TERRITORIES

SECURITY COUNCIL
Forty-eighth year

Letter dated 28 July 1993 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which retains the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your immediate attention.

For the fourth consecutive day, Israeli military attacks continue against Palestinian refugee camps in Lebanon as part of the overall Israeli aggression against that country. Israeli forces have been launching these attacks by means of air force, navy and ground artillery. The camps that have been hit include Beddawi and Nahr el-Bared in northern Lebanon and Ein el-Hilweh, Mieh Mieh and Rashidieh in southern Lebanon. Such criminal and indiscriminate assaults have caused high numbers of casualties and displacement among the Palestinians.

As you are aware, the Israeli aggression against Lebanon has caused immeasurable suffering and damage for the Lebanese people, as well as for the Palestinian civilians in the refugee camps. Furthermore, this aggression only continues to intensify, and this will certainly have a serious impact on the

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* A/48/150.

situation in the region, with far-ranging consequences, and it does undermine the peace process currently under way.

We call upon the Security Council to consider the situation immediately and to take concrete measures to bring an end to that Israeli aggression.

I should be grateful if you would arrange to have the text of the present letter distributed as an official document of the General Assembly, under items 34, 35, 85 and 86 of the provisional agenda, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/47/992
S/26192
28 July 1993
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-eighth year

Letter dated 28 July 1993 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

Further to my letter of 26 July 1993 (A/47/988-S/26165) concerning the facts of the extensive Israeli assault on Lebanese territory, I regret to inform you that Israel still persists today, for the fourth day in succession, in conducting air raids on Lebanese towns and villages, and the artillery of its occupying army continues to shell the villages of southern Lebanon with 175-mm and 155-mm field artillery and tank guns. This is being done with a view to causing maximum damage to people and property, in implementation of its declared plans to empty the south of its inhabitants, which thus far has led to the exodus of some 300,000 people towards the capital, Beirut, and confront the Lebanese Government with a dangerous social and political situation that will jeopardize its recent achievements in reunifying the country, extending order and the rule of law throughout its territory and pursuing a policy of national economic revival and growth after the well-known bloody and destructive events of the past. The Israeli forces have issued fresh warnings to the population of Sidon and Tyre to evacuate the cities because they will subsequently be subjected to Israeli bombardment.

This new Israeli aggression and its tragic and catastrophic consequences confirm Israel's resolute policy of undermining the stability of Lebanon, weakening its central authority, impeding its return to normalcy and frustrating its citizens' aspirations for a decent life in a prosperous country.

Persistent Israeli aggression at such a level of violence and with the aim, as stated by the Israeli Prime Minister, of inducing people to flee calls for a spontaneous response on the part of the Security Council to put an end to Israel's acts of murder, destruction and expulsion directed against Lebanese citizens and their property, and reaffirms the urgent need to work for an Israeli withdrawal from the Lebanese south, in implementation of Security Council resolution 425 (1978).

The Israeli occupation, which has continued for 15 years, has not served the purpose of providing security for northern Israel. On the Lebanese side, it has claimed scores of lives, left hundreds wounded and inflicted continuous damage on property and vital utilities. Peace will not come to Lebanon and the region as long as Israel continues to occupy southern Lebanon. The latest military escalation threatens to exacerbate the cycle of violence and crushes all hope of bringing about the peace to which the peoples of the region aspire.

The following are the facts of the Israeli attacks over the past two days:

- At 1100 hours on the morning of Monday, 26 July 1993, Israeli fighter aircraft and helicopters carried out raids on Ain al-Hilwa camp east of Sidon.

- At 1215 hours, Israeli aircraft carried out a raid on Mashgara, Sohmor and Ain Tineh in the western Bekaa, destroying a number of private houses.

- At the same time, Israeli fighter aircraft conducted a raid on Wadi al-Sheikh in the western Bekaa, destroying two homes.

- At 1315 hours, fighter aircraft conducted a raid on the villages of Qana, Hannowieh, Kafra, Ramadieh and Siddiquin.

- At 1400 hours, Hmeiri was raided and at 1450 hours the raids targeted Qana, Aitit and Maaroub east of Tyre.

- At 1500 hours, a helicopter raid was conducted on Mahrouneh and Joaya east of Tyre and two Israeli helicopters strafed the wooded slopes of Jabal al-Rayhan with machine-gun fire.

- At 1700 hours, fighter aircraft conducted raids on the railway station near Ain al-Hilwa camp in Sidon, on Mayasseh farm in Iqlim al-Tuffah and on Salihiye east of Sidon. Raids were also carried out on Tibnin, Haris, Ain Bossoir, Jabaa, Zawtar al-Sharqiye and Zawtar al-Gharbiye.

- At 1730 hours, Israeli aircraft carried out raids on Nabatiye, Kfar Roumman, Zawtar, Kafr Tibnit, Haris, Aitit, Khirbat Silm, Kafra, Yatar, Jmeijmeh, Dayr Amis, Sultaniye, Siddiquin, Zahrani and Bossoir.

These air raids killed and wounded a number of civilians and caused extensive damage to the villages and to property. They were accompanied throughout the day and night by heavy Israeli shelling with 175-mm and 155-mm field artillery of Arabsalim, Jarjou, Jebaa, Ain Bossoir, Houmin al-Fawqa, Houmin al-Tahta, Kfarmelki, Mlita, Loueize, Jabal Safi and the villages of Iqlim al-Tuffah. In the western Bekaa, the shelling was directed at the villages of Mashgara, Maidoun, Ain Tineh, Sohmor, Yohmor and Zallaya. East of Tyre, it was directed against the villages of Aitit, Qana, Hannowieh, Dayr Amis, Hinniye, Qarih, Knayse, Siddiquin and Zibqin. In the afternoon, the shelling was directed against the villages of Mansouriye, Qalile, Maaroub, Braachit, Shaqra, Khirbat Silm, Majdal Silm, Kafra, Yatar, Qabrikha, Haddatha, Ayta al-Jabal, Sawwan, Barish, Safad al-Battikh, Touline, Tamriye and Souane.

In the central sector, the city of Nabatiye and its environs were subjected to heavy shelling throughout the day. The villages of Tibnin, Kfar Tibnit,

Zawtar, Maifadoun, Zifta, Aba, Doueir, Froun, Ghandouriye and Shoukine were also shelled.

The shelling left civilians dead and wounded, caused widespread damage and ignited many fires.

On Tuesday, 27 July 1993, the Israeli occupation forces continued their aggression. From 0400 hours onwards, Israeli aircraft carried out raids on the Maidoun heights, on Mashgara, Mlita, Jabaa, Loueize, Jabal Safi, Ain Bossoir, Jarjou and Kfar Hatta in Iqlim al-Tuffah and on Harouf, Jibchit, Jabal al-Ahmar, Zawtar al-Sharqiye, Zawtar al-Gharbiye, Haris, Kfar Tibnit and Kfar Roumman in the central sector. The raids were accompanied by heavy artillery shelling of most of the villages and towns of the south, especially the city of Nabatiye, on which hundreds of incendiary phosphorus bombs fell, making it impossible to count casualties and preventing ambulance teams from reaching them. Shelling was also directed against most of the villages of Iqlim al-Tuffah and the towns and villages of the western Bekaa.

Positions of the international forces were exposed to Israeli raids and the positions of the Lebanese Army in Habbouch, Arabsalim, Maifadoun, Khartoum and Kfar Tibnit came under fire.

The number of casualties as of yesterday - Tuesday, 27 July 1993 - came to 53 dead and 200 wounded. In addition, over a quarter of a million people have fled from southern Lebanon in the direction of Beirut.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Khalil MAKKAWI
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/26193
31 July 1993

ORIGINAL: ENGLISH

LETTER DATED 28 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the text of a statement by the Ministry of Foreign Affairs of Azerbaijan.

I would be grateful if you could have this letter circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

Annex

[Original: Russian]

Statement by the Ministry of Foreign Affairs of Azerbaijan

On 23 and 24 July 1993, the Ministry of Foreign Affairs of the Republic of Armenia issued statements in which it alleged that on 23-24 July Azerbaijani aircraft had bombed the frontier towns of Kafan and Vardenis in Armenia. In them, Azerbaijan is accused yet again of attempts to prolong and escalate the war and to draw Armenia into a large-scale war, thereby derailing the peace process.

In the first place, the communications from the Ministry of Foreign Affairs of Armenia concerning the bombardment of Armenian cities are the latest fabrications by the Foreign Policy Department of Armenia for propaganda purposes. It is all too obvious that Azerbaijan, which is engaged in fighting and bloodshed in order to protect its territory, would never have carried out such acts. On many occasions Azerbaijan has already demonstrated to the entire world its readiness for a political settlement of the conflict and has shown this by responding in a timely and positive way to all peace initiatives proposed at any time in the course of this conflict by international organizations or by individual States.

Secondly, there is no need for Azerbaijan to try to involve Armenia in the war because for the past five years Armenia has been waging this war in Azerbaijani territory, passing it off as the liberation movement of the Armenians of Nagorny Karabakh. Everyone now knows who is fighting against the Azerbaijanis in Karabakh, the source from which the "peaceful" population of the region obtains modern weapons, including aircraft, missiles, armoured vehicles and heavy artillery, and by what means the weapons reach Nagorny Karabakh. Armenia is using every possible means to delay the withdrawal of its troops from the occupied Kelbajar and Lachin districts of Azerbaijan, because it is precisely through these frontier districts that fighting equipment and personnel move in a broad stream from Armenia to Nagorny Karabakh.

As to the imaginary difficulties and "the continuing internal struggles within the Baku leadership", the Ministry of Foreign Affairs of Armenia is parading its desires as realities. The mission to the region of the Chairman of the Minsk Conference of the Conference on Security and Cooperation in Europe on Nagorny Karabakh, Mr. Raffaelli, did indeed contend with difficulties, but those difficulties came from the Armenian side. Armenia's numerous attempts to reschedule the visit of Mr. Raffaelli's group and to rearrange the itinerary and Armenia's references to what it claims are mined roads between Agdam and Hankendi testify to the true attitude towards the negotiating process of the Armenian side. For some reason, the mined roads did not prevent the Armenian forces from mounting an attack against Agdam and occupying it.

The Foreign Policy Department of Armenia is known for its skill in concocting myths. Thus at one time we had the myth about the blockade of Armenia and the argument about the small defenceless population of Nagorny Karabakh which rose up to fight for its rights; and now we have the latest myth

developed by Armenian propaganda, which is that the Azerbaijani leadership, because of internal difficulties, is unwilling and unable to move towards a peaceful settlement of the conflict. In the mean time, the war on Azerbaijani territory is already five years old and 17 per cent of Azerbaijani land is occupied. Azerbaijan has never had territorial claims vis-à-vis Armenia, and not a single Azerbaijani soldier is on Armenian soil.

The Ministry of Foreign Affairs of the Azerbaijani Republic can only qualify these statements by the Ministry of Foreign Affairs of Armenia as the latest propaganda ploys calculated to mislead the international community.

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Security Council

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S/26194
31 July 1993

ORIGINAL: ENGLISH

LETTER DATED 28 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In connection with the recent occupation of Agdam district of Azerbaijan by Armenian military forces, I have the honour to give a brief description about this district of Azerbaijan and some facts about the brutality of recent events.

The district is situated to the north-east of the Karabakh ridge. The territory of the district constitutes 1,100 sq km. There are a city and 120 villages in the district. The population of the district before the Armenian-Azerbaijanian conflict began was approximately 150,000 (80 per cent of which was rural). During the last five years, tens of thousands of Azeri refugees from Armenia, Nagorny Karabakh and other regions of Azerbaijan, affected by the hostilities, have settled in Agdam district.

Agdam district and Agdam itself are situated at the crossroads of several very important airways, railroads and highways, such as the Yevlakh-Lachin-Nakhichevan and Agdere-Fizuli highways and the Yevlakh-Agdam, Agdam-Hankendi railroads. The Agdam airport served the Baku-Agdam flights and a number of local flights. Agdam was one of the centres of the food-processing and carpet-making industries and the vineyards of Azerbaijan.

The massive offenses of Armenian military forces against the administrative centre of the district - the city of Agdam with its population of almost 60,000 - began at 0700 hours. The city of Agdam was totally captured on 23 July 1993. Most of the city was destroyed by Armenian artillery. In the eastern part of the city, which has not suffered as severely under the shelling and bombing, Armenian soldiers pillaged and ransacked houses. On 27 July, Armenian troops burned most of the city. The exact number of those killed and injured is now being verified.

Agdam district borders with Nagorny Karabakh in the south-west, but the city of Agdam is 12 km away from the border. Thirty settlements in Agdam district have been occupied by Armenian armed forces and there are only 11 villages under the control of Azerbaijan. The distance between the capital of Azerbaijan, Baku, and the city of Agdam is 360 km.

The occupation of Agdam district seriously damages the agriculture of Azerbaijan since the Agdam farms produced a great deal of the Republic's

livestock, wheat, grapes and cotton. In fact, about 400,000 acres of agricultural territories have been lost as a result of the Armenian offensive.

The occupation added a further hundred thousand refugees to the above figures. At present the total number of refugees in Azerbaijan is around 750,000.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
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A/47/993
S/26195
29 July 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 28 July 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the letter addressed to you by His Excellency Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the forty-seventh session of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) İnal BATU
Ambassador
Permanent Representative

ANNEX

Letter dated 28 July 1993 from Mr. Osman Ertuğ
to the Secretary-General

I have the honour to refer to the recent violent demonstrations and acts of provocation perpetrated by Greek Cypriots in the United Nations-controlled Buffer Zone in Cyprus and at our borders, and to express the Turkish Cypriot side's indignation and concern at this new manifestation of Greek Cypriot hostility towards the Turkish Cypriot people.

As the spokesman of the United Nations Peace-keeping Force in Cyprus (UNFICYP) in Nicosia has also reported in his relevant statement issued on 26 July 1993, several hundred Greek Cypriots, most of them on motorcycles, staged violent demonstrations at a number of locations along the Buffer Zone on 25 July 1993. Some of them broke through UNFICYP barriers and attacked UNFICYP personnel with rocks and other missiles, injuring a dozen of them and causing damage to United Nations property.

At three locations, the Greek Cypriot aggressors came within a short distance of our borders, and at "Dherinia", where they were joined by other groups bringing their number to about 2,000, they attacked members of the Turkish Cypriot Security Forces with rocks, "Molotov cocktails" and similar other missiles, at the same time hurling insults at them. As a result, no fewer than 26 members of our Security Forces suffered injuries, and damage was caused to property. The perpetrators also set part of the Buffer Zone on fire.

The demonstrations were reported to have been organized by "LOGOS" radio and television, an organ of the Greek Orthodox Church of Cyprus, which is known for its militant, anti-Turkish stance, and by a Greek Cypriot youth organization. However, in view of the fact that such acts of provocation are generally encouraged and supported by the Greek Cypriot authorities as a matter of policy, in order to create artificial tension in the island and keep the Cyprus issue high on the agenda of the international community, there can be no doubt that the recent incidents also had the blessing of the Greek Cypriot Administration.

The well-planned and organized nature of the incidents, the failure of the Greek Cypriot police to stop them and their refusal to cooperate with UNFICYP in containing the aggressive behaviour of the demonstrators testify to the above. This is also borne out by the UNFICYP spokesman's above-mentioned statement, in which it is stated that "the maintenance of the integrity of the Buffer Zone is the responsibility of UNFICYP alone. It requires also the full cooperation of the public at large and especially of the police authorities. Such cooperation was clearly lacking yesterday".

By contrast, the restraint shown by the Turkish Cypriot Security Forces prevented these provocative incidents from turning into a wider confrontation, as again confirmed by the UNFICYP spokesman's statement in the following terms: "Had these events not been met by a conscientious response on the part of UNFICYP and restraint by the Forces on the Turkish Cypriot side, there could have been very serious consequences."

The manner in which the incidents were reported in the Greek Cypriot press the following day is also highly significant in terms of showing the public reaction and mentality prevalent on the Greek Cypriot side. Headlines such as "Message From Our Youth - War With Attila"; "Our Youths Have Demonstrated Courage and a Fighting Spirit - A Blow to Attila"; "Hand-to-Hand Clash With the Invader"; and "It Is Faster to Kyrenia by Motorcycle" are the epitome of chauvinism and reveal the hostile intentions that the Greek Cypriots in general harbour against their Turkish Cypriot neighbours. In fact, some of the slogans used by the demonstrators during these incidents leave no room for doubt as to what those intentions are: "Cyprus is Greek", "Attila out of Cyprus", "Turks are not our kin, they are our enemies", etc.

This latest demonstration of hostility on the part of the Greek Cypriot side is neither compatible with civilized, good-neighbourly relations nor with the establishment of trust between the two communities in Cyprus. It clearly renders Your Excellency's efforts in that direction all the more difficult and sets the stage for more serious incidents in the future with unforeseen consequences. I therefore hope that Your Excellency will do what you can to stop this harmful and dangerous trend on the Greek Cypriot side by impressing upon them that they alone will have to bear the responsibility for the consequences of their aggressive actions.

I shall be grateful if this letter is circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Osman ERTUĞ
Representative of the
Turkish Republic of Northern Cyprus

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A/47/994*
S/26196*
2 August 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-eighth year

Letter dated 29 July 1993 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

In reference to the letter dated 28 July 1993 from the Permanent Observer of Palestine (A/48/284-S/26191), I would like to state the following.

Lebanon appreciates the concern expressed by the Executive Committee of the Palestine Liberation Organization over what is happening to the Palestinian refugees in Lebanon, who are suffering along with the people of Lebanon under Israel's brutal onslaught. Lebanon shares its feelings and is as concerned for these refugees as it is for its own citizens.

However, Lebanon cannot accept that the Executive Committee of the Palestine Liberation Organization has taken it upon itself to call for immediate consideration of this matter by the Security Council. Lebanon has already requested an urgent meeting of the Council, which is its exclusive right. No party other than the Government of Lebanon and its Permanent Representative to the United Nations can call on the Council to discuss the issue of Israel's aggression against Lebanon. This subject falls expressly within the jurisdiction and sovereignty of the Lebanese Government.

The request of the Permanent Observer of Palestine, although well intended, constitutes an interference in the internal affairs of a sovereign nation and State Member of the United Nations.

I should be grateful if you would have this letter circulated as a document of the forty-seventh session of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Khalil MAKKAWI
Ambassador
Permanent Representative

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* Reissued for technical reasons.

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UNITED NATIONS **Security Council**

Distr.
GENERAL

S/26197
30 July 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 27 JULY 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to my previous letters, the most recent of which was that of 10 June 1993 (S/25924), I have the honour to inform you that in the period 22 June to 15 July 1993 Iranian armed forces engaged in the following acts of aggression against the northern region of Iraq:

1. On 22 June 1993, Iranian artillery shelled the areas of Shiyuzah and Bardi, setting fire to agricultural land and damaging a number of dwellings.

2. On the night of 3/4 July 1993, Iranian artillery shelled the areas of Ganaw and Qindul, killing five inhabitants and wounding eight.

3. At 1100 hours on 15 July 1993, Iranian artillery shelled the areas of Shiyuzah, Suna and Kometan, killing two persons and wounding three in the Suna area.

4. In the course of last week, scattered localities in the Qal'at Dizah basin and the Panjwin area came under intermittent and random Iranian bombardment that caused damage, set fire to agricultural land and wounded a number of the residents, who began to evacuate themselves further inside Iraqi territory.

The Government of the Republic of Iraq protests in the strongest terms against these fresh Iranian acts of aggression, which constitute a flagrant violation of Iraq's sovereignty and open interference in its internal affairs, and it condemns the Iranian regime's persistent violation of Security Council resolution 598 (1987).

The Government of the Republic of Iraq requests your intervention to prevent the Iranian side from repeating such acts of aggression, which are contrary to the norms of international law and the Charter of the United Nations, and it reserves its full right to respond by using any appropriate means in order to safeguard Iraq's rights and legitimate interests.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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